DRAFT
ENVIRONMENTAL ASSESSMENT

ELK ISLAND FISHING ACCESS SITE
PROPOSED DEVELOPMENT PROJECT

AUGUST, 2010

Montana Fish, Wildlife & Parks

Elk Island Fishing Access Site
Proposed Development Project
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife, and Parks (FWP) recently acquired 165 acres (Hagler addition) adjoining Elk Island Wildlife Management Area (WMA) along the Yellowstone River one mile north of Savage, Montana for the purpose of enlarging Elk Island Wildlife Management Area and developing a Fishing Access Site (FAS). FWP proposes to develop approximately ten acres of the 165 acres to be used for a FAS. FWP proposes to construct a parking area to accommodate approximately eight vehicles, a single-wide gravel boat ramp, a turn-around area for vehicles, and a latrine; improve the access road, and install signs and boundary fencing.

2. Agency authority for the proposed action:

The 1977 Montana Legislature enacted statute 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop and operate a system of fishing accesses. FWP has the authority to develop outdoor recreational resources in the state per 23-2-101, MCA: *"for the purpose of conserving the scenic, historic, archaeologic, scientific, and recreational resources of the state and providing their use and enjoyment, thereby contributing to the cultural, recreational, and economic life of the people and their health."*

Furthermore, state statute 23-1-110 MCA and ARM 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides. ARM 21.8.602 requires the Department to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule. See Appendix A for HB 495 qualification.

3. Name of project:

Elk Island Fishing Access Site Proposed Development Project

4. Project sponsor:

Montana Fish, Wildlife and Parks, Region 7
P.O. Box 1630
Miles City, MT 59301
406-234-0900

5. Anticipated Schedule:

Estimated Construction Commencement Date: Fall 2010
Estimated Completion Date: Fall 2010
Current Status of Project Design (% complete): 100%

6. Location:

Elk Island FAS is located on the Yellowstone River 52 miles from the mouth, in Sections 22 and 23 Township 20 North Range 58 East. Elk Island FAS is located between Intake Dam FAS (19 miles upstream) and Seven Sisters FAS (12 miles downstream). It is located in Richland County, about one mile north of Savage, Montana on Highway 16, between Glendive and Sidney, Montana and about 32 miles north of Interstate 94.

Figure 1. Elk Island Fishing Access Site Location

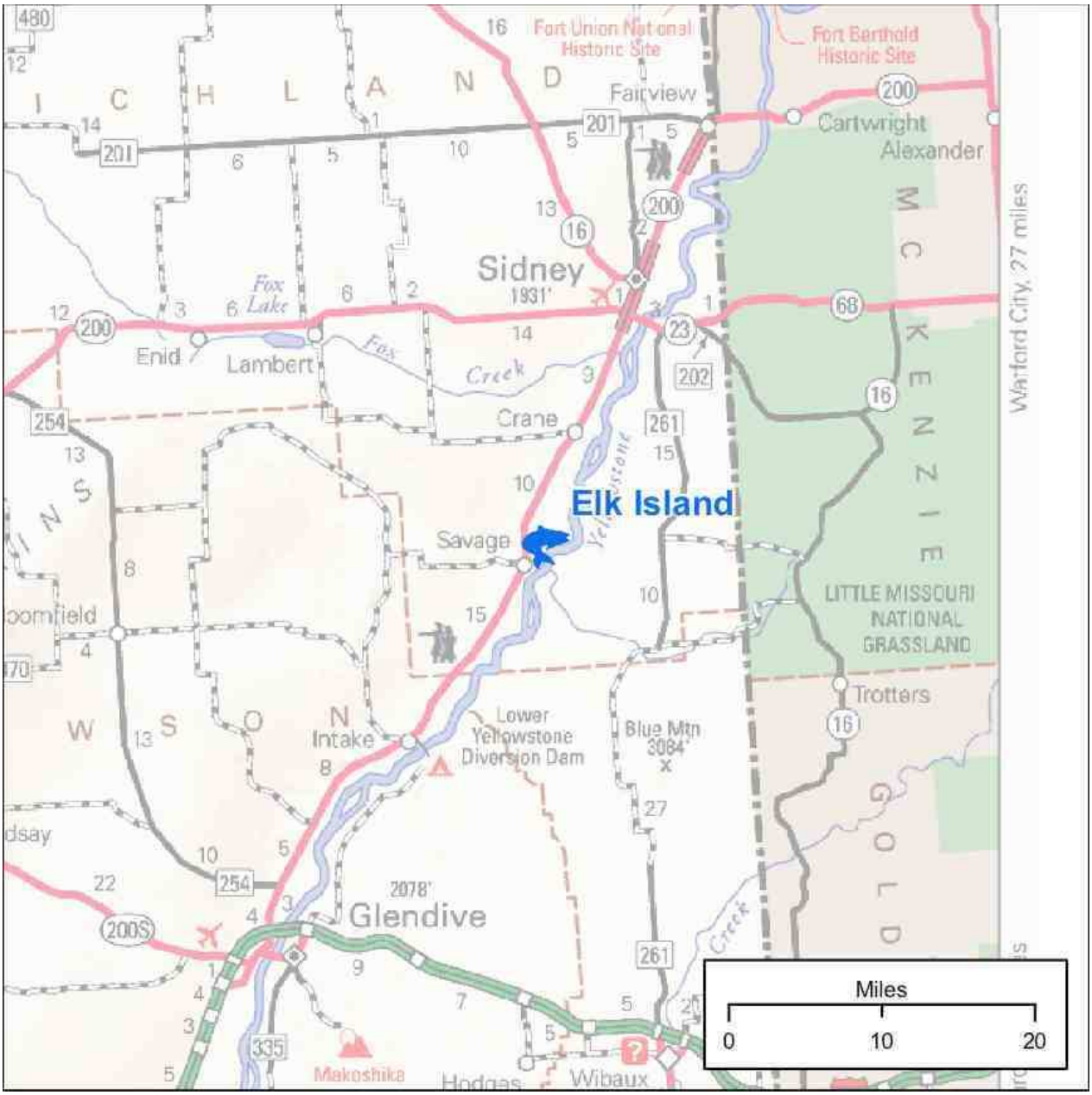


Figure 2. Elk Island Fishing Access Site General Location

Figure 3. Hagler Property Addition to Elk Island WMA and FAS.

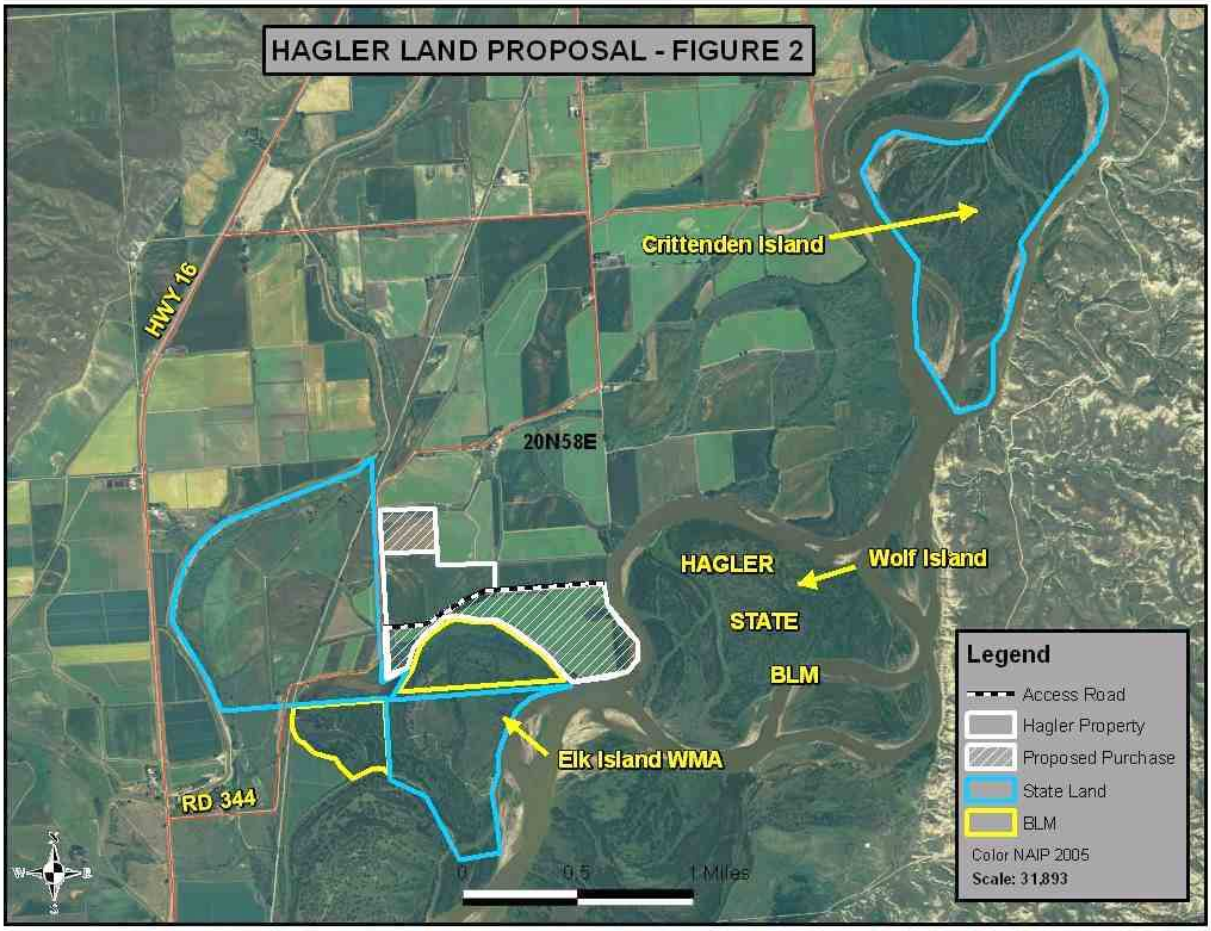


Figure 4. Aerial View of Elk Island FAS Development Area

7. Project size:

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	9.5
(b) Open Space/ Woodlands/Recreation	0	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	.5	Rangeland	0
		Other	0

8. Local, State or Federal agencies with overlapping or additional jurisdiction:

(a) Permits: Permits will be obtained prior to project start.

Agency Name	Permits
Montana Fish Wildlife & Parks	124 MT Stream Protection Act
Montana Dept. of Environmental Quality	318 Short Term Water Quality Standard for Turbidity (If required)
US Army Corps of Engineers	404 Federal Clean Water Act
Richland County	Floodplain Permit

(b) Funding:

Agency Name	Funding Amount
Montana Fish Wildlife & Parks FAS Development	$60,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
Natural Heritage Program	Species of Concern (Appendix B)
Richland County Weed District	Weed Management Coordination
State Historic Preservation Office	Cultural & Historic Resources

9. Narrative summary of the proposed action:

The Yellowstone River originates in Wyoming and flows through Yellowstone National Park before entering Montana at Gardiner. From the park boundary the river flows north through Paradise Valley to Livingston. From Livingston, it continues in a northeasterly direction through southeastern Montana and meets up with the Missouri River just across the North Dakota border, for a total length of 692 miles, of which 555 miles are in Montana. The Yellowstone River has survived as one of the last, large, free-flowing rivers in the continental United States. Lack of main-stem impoundments allows spring peak flows and fall and winter low flows to influence a unique ecosystem and aesthetic resource. From the clear, coldwater cutthroat trout fishery in the Yellowstone National Park to the warm water habitat at its mouth, the river supports a large variety of aquatic environments that remain relatively undisturbed. The adjacent terrestrial, riparian environment through most of the 555 Montana miles of river is a cottonwood-willow bottomland supporting diverse habitats for many plant and animal species, including many Species of Concern. The river has also been a major factor in the settlement of southeastern Montana, and retains much cultural and historical significance.

The lower Yellowstone River is considered to have outstanding angling values for warm water species. The lack of dams along the river provides for a more natural hydrograph, allowing high flows that flush gravels in spring, which in turn supports a large diversity of native fish species. The Yellowstone River varies in width from 74 feet to 300 feet so fishing is normally done by boat. Recent surveys conducted by FWP show that the lower Yellowstone River from the confluence of the Powder River to the North Dakota border (river miles 15 – 147) supported 11,697 angler days in 2007. Common game fish found in the lower Yellowstone River from Billings downstream to the North Dakota border include

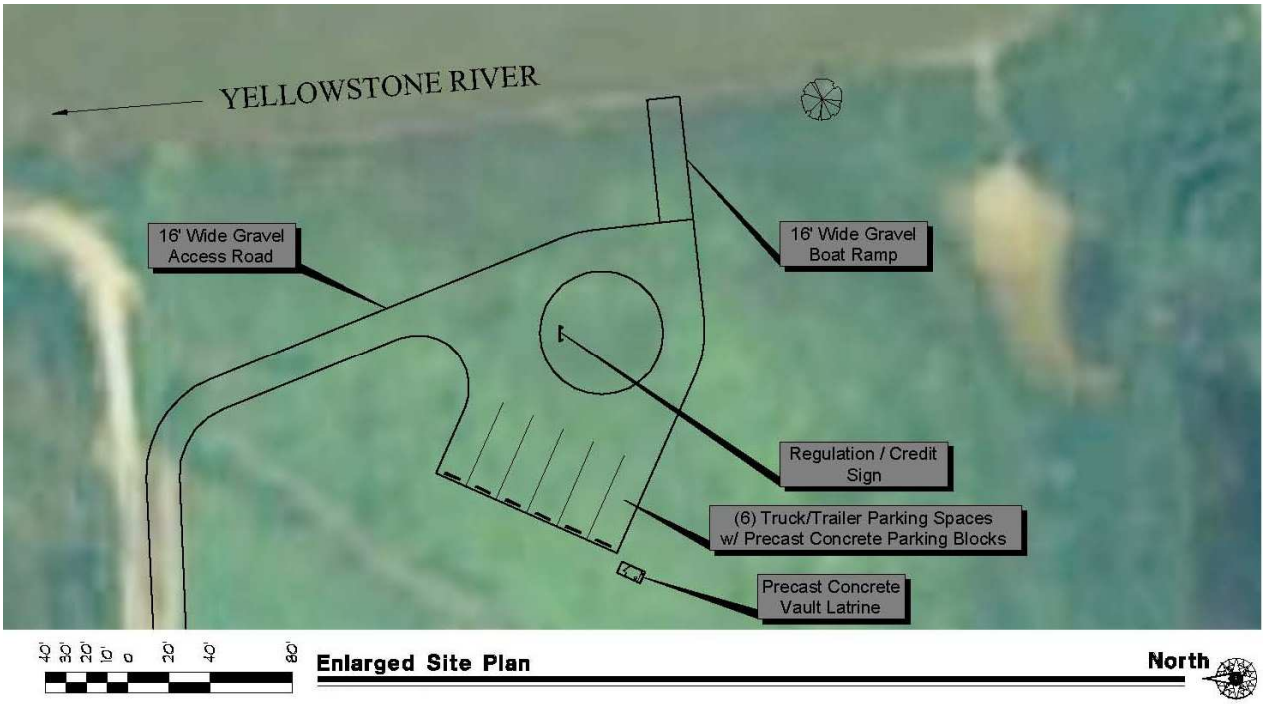
burbot, channel catfish, shovelnose sturgeon, paddlefish, sauger, walleye, and small mouth bass.

Elk Island FAS is located on a comparatively stable stretch of the main channel of the lower Yellowstone River. The primary habitat type on this property is Yellowstone River riparian/cropland complex. Most of the proposed FAS development area was irrigated cropland under the management prior to the 2008 property acquisition. The crops were alternated between wheat, sugar beets, and field corn. The riparian habitat is very high quality with stands of cottonwoods intermixed with willow, buffaloberry, chokecherry, and other riparian shrubs. This habitat is highly diverse and productive for both plant and wildlife species, with at least 127 different vertebrate species documented to use the lower Yellowstone River riparian complex. In addition, the adjacent irrigated fields in the river bottom provide opportunity to enhance the wildlife values of the native habitats by planting wildlife food plots and allowing portions to revert to native vegetation, providing food and nesting and hiding cover.

Elk Island FAS (river mile 52) is one of seven FWP managed FAS's on the lower Yellowstone River (river miles 15 – 147) downstream of Powder River. Intake Dam (river mile 71) is the next FAS upstream from Elk Island FAS; Seven Sisters (river mile 40) is the next site downstream. Of the seven FAS's on the lower Yellowstone River, only three are developed: Fallon Bridge FAS, (river mile 124), Intake Dam FAS, (river mile 71), and Sidney Bridge FAS (river mile 31). Development of Elk Island FAS would provide the only developed FAS in a 40-mile stretch of river, between Intake Dam FAS and Sidney Bridge FAS. An undeveloped site, which includes a boat ramp, is located one-half mile upstream from the Elk Island FAS proposed development area. This site is located on an unstable stretch of river frequently making the river inaccessible from the ramp. The proposed development area is located on a comparatively stable stretch of river, which will allow regular access to the river. The land comprising Elk Island FAS addition was historically cultivated for commercial agricultural crops and was not historically used as access to the Yellowstone River.

The purpose of the proposed project is to develop the Elk Island FAS. Development will consist of construction of a gravel parking area to accommodate approximately eight vehicles. A single-wide gravel boat ramp will also be constructed as part of the project. Additional improvements will include grade and graveling the access road, construction of a turn around area for vehicles loading and unloading boats as well as a concrete aggregate vault latrine. Regulation signs, fencing and barriers to prohibit off-road vehicle usage will be installed as needed.

Figure 4.
Elk Island FAS Proposed Development Project Preliminary Concept Site Plan



10. Alternatives

<u>Alternative A:</u> No Action
Under the No Action alternative, access to this stretch of the Yellowstone River would continue to be difficult and routinely unavailable. Only boats small enough to be hand-launched from the existing boat ramp and bank anglers would be able to use the area. In addition, a side channel of the river routinely either creates a sandbar between the ramp and river or washes the bank creating a steep drop-off the end of the existing ramp, making the river inaccessible. Also, no other amenities would be available.

<u>Preferred Alternative B:</u> Proposed Action
FWP proposes to construct a parking area to accommodate approximately eight vehicles, single-wide gravel boat ramp, turn-around area for vehicles, and latrine; improve the access road; and install various signs and boundary fencing.

11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

There are no mitigations, stipulations, or other controls associated with this action, therefore, no evaluation is necessary. FWP staff will develop the final design and specifications for the proposed project. All county, state and federal permits listed in Part I 8 (a) above will be obtained by FWP as required. A private contractor selected through the State's contracting processes will complete the construction.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1b.
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		Yes	1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X			.	

1a. The proposed location for the FAS is located on the most stable stretch of Yellowstone River bank within the 165-acre addition to the Elk Island WMA. Because the Yellowstone River is not controlled by impoundments, the banks of the lower Yellowstone River are generally unstable.

1b. A small portion of stream bank will be overlain by gravel that will serve as a boat ramp. FWP Best Management Practices (BMP) for Fishing Access Sites will be followed. (Appendix D)

Furthermore, providing a designated parking area would prevent uncontrolled, pioneered parking and prevent degrading the vegetation, which would result in compaction of the soil and the spread of noxious weeds.

1d. The gravel boat ramp will be placed in the most stable location to minimize erosion by the changing course of the Yellowstone River. The re-contouring and revegetation of the pioneered ramp will reduce sedimentation into the river. FWP Best Management Practices (BMP) for Fishing Access Sites will be followed (Appendix D)

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** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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2. AIR Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X		Yes	2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		NA				

2a. During construction, dust may temporarily be generated during soil excavation and placement in the flood plain. If additional materials are needed off-site, loading at the source site will generate minor amounts of dust. FWP will follow the Best Management Practices (BMP's) during all phases of construction to minimize risks and reduce dust. (See Appendix D for the BMP)

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3. WATER Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?			X		Yes	3b.
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X		Yes	3h.
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		NA				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		NA				

3a. Construction of the access road, parking lot, gravel boat ramp, and latrine may cause a temporary, localized increase in turbidity. FWP will obtain a Montana Department of Environmental Quality (DEQ) 318 Authorization Permit, as required. FWP Best Management Practices will be followed (Appendix D).

3b. Construction of the parking lot, gravel boat ramp, vehicle turn-around area, and latrine may slightly alter surface runoff. The proposed work would be designed to minimize any effect on surface water, surface runoff, and drainage patterns. FWP Best Management Practices will be followed (Appendix D).

3h. There may be a slight risk of contamination from petroleum products from heavy equipment used during construction activities and an increase in sediment delivery to the river. FWP Best Management Practices will be followed during all phases of construction to minimize these risks. (Appendix D). The application of herbicides to manage the existing noxious weeds would be done per the guidelines presented in the FWP Statewide Integrated Noxious Weed Management Plan.

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4. VEGETATION Will the proposed action result in?	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		Yes Positive	4a
b. Alteration of a plant community?			X		Yes Positive	4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?			X		Yes	4d.
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		NA				

4a./4b. The most common riparian plants found at Elk Island FAS are plains and narrowleaf cottonwood, willow, buffaloberry, and chokecherry. Crops on the irrigated cropland were rotated annually between wheat, sugar beets, and field corn. The most common noxious weeds on the FAS include leafy spurge and Canada thistle. Construction of the parking lot, gravel boat ramp, turn-around area, and latrine would require removing existing vegetation in the area of construction and altering the diversity of the plant community on the site. Very few, if any, riparian plants will be removed in construction of the boat ramp, access road and parking lot. The drainage area, a potential wetland bordering the development area to the south, will be avoided during construction. The cropland within the proposed FAS development area will be taken out of commercial production. Any portion of the cropland that is not developed will be allowed to revert back to native vegetation, providing additional wildlife habitat, or planted and managed for wildlife food plots. Without designated parking, the vegetation would be degraded from haphazard, indiscriminate parking which would likely increase the spread of noxious weeds. The proposed development overall will positively impact vegetation, by restricting parking to designated areas.

4c. Montana Natural Resource Information System (NRIS) identified no plant species that are species of concern.

4d. Approximately ten acres of cropland located within the proposed FAS development area will be taken out of commercial agricultural production. Any area within the development area that is not developed will be allowed to revert to native vegetation or be planted and managed for wildlife food plots.

4e. Soils disturbed during the construction of the boat ramp, parking lot, turn-around area, and latrine may colonize with weeds. Construction materials, especially gravel, will be checked to insure they are weed free. Disturbed areas will be re-seeded where necessary to reduce the establishment of weeds and the area will be managed for noxious weeds under the FWP Statewide Integrated Noxious Weed Management Plan. FWP estimates that weed control will cost approximately $600 during fiscal year 2011.

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** 5. FISH/WILDLIFE Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				5b.
c. Changes in the diversity or abundance of nongame species?		X				5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X		Yes	5g.
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		NA				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		NA				

FWP fish and wildlife biologists do not anticipate any impacts on fish or wildlife species within the vicinity of the proposed project area.

5b/5c. Wildlife species whose habitat distribution includes the proposed development area include whitetail deer, small mammals (voles, shrews and mice), bats, furbearers, reptiles, amphibians, pheasants, turkeys, ducks, geese, owls, pelicans, great blue herons, neotropical migratory birds and endemic songbirds. Fish species found in the lower Yellowstone River include pallid sturgeon, paddlefish, catfish, sauger, burbot, walleye, and smallmouth bass. By converting the cropland from irrigated crops to native vegetation and grain food plots, the proposed project will improve wildlife habitat by increasing desirable food sources and increasing nesting and cover habitat. Fish species, such as channel catfish, whose habitat includes the slower waters along the river-bank will be temporarily displaced during construction, but will return to those areas when the localized disturbance ceases. Pallid sturgeon and paddlefish occupy the thalweg, the faster current in the center of the river, and should not be affected by the construction of the FAS. Aquatic species native to the lower Yellowstone River are adapted to the turbidity common to this habitat and will not be affected by the temporary increase in turbidity due to construction.

5f. NRIS identified two federally listed endangered species, least tern and pallid sturgeon, and 11 species of concern in the vicinity of Elk Island FAS: long-billed curlew, Sprague's pipit, loggerhead shrike, grasshopper sparrow, paddlefish, sturgeon chub, sicklefin chub, blue sucker, sauger, meadow jumping mouse, and spiny softshell. Least tern has been observed within four miles of the FAS but is unlikely to be affected by the proposed project. Pallid Sturgeon has been found in the Yellowstone River within two miles of the proposed project area but is unlikely to be affected by the proposed project (see 5b./5c. above). Long-billed curlew, Sprague's pipit, loggerhead shrike, and grasshopper sparrow have been observed within five miles of the proposed project area as recently as 1997. The proposed project is unlikely to have any impact on these species since these are primarily upland species. Paddlefish, sturgeon chub, sicklefin chub, blue sucker, and sauger

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have been found within the proposed project area but are unlikely to be affected by the proposed project (see 5b./5c. above). The proposed project should have little impact on all aquatic species, because of the small area that will be disturbed and the erosion prevention methods that will be used during construction. Establishment of a gravel boat ramp will have a long-term beneficial effect by reducing sedimentation and improving riparian health. Meadow jumping mouse was observed five miles from the proposed project area as recently as 1988 but is unlikely to be affected by the proposed project due to the distance from the project area. Spiny softshell was observed within one mile of the project area as recently as 2006 but is unlikely to be affect by the proposed project due to the temporary impacts of the proposed project on the Yellowstone River (see 5b./5c. above). Though not identified by NRIS, according to local FWP wildlife biologists, two active bald eagle nests are located along the Yellowstone River within two miles of Elk Island FAS and winter use is common, but according to FWP wildlife biologists the proposed project is far enough away it is unlikely to have any impacts on bald eagles in the area.

5g. The improved facilities may result in increased use, however the potential impact on existing wildlife in the area is expected to be minor since the area has been farmed for years.

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B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to severe or nuisance noise levels?			X		Yes	
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

6a. Some heavy equipment may be used during construction of the parking lot, turn-around area, boat ramp, and latrine and improvement of the access road, which will temporarily increase noise levels at the site. FWP Best Management Practices will be followed. (Appendix D).

6b. If construction noise levels exceed a level deemed unsafe over a workday time frame, all workers will be required to wear proper ear protection. FWP will follow the Best Management Practices during all phases of construction to minimize risks. (Appendix D).

7. LAND USE Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a.
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				7b.
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

7a. Approximately ten acres of irrigated cropland located within the FAS development area will be taken out of commercial agricultural production. All undeveloped cropland will either be allowed to revert to native riparian vegetation or cultivated for wildlife food plots.

7b. Because no survey has been conducted on this site before, the State Historical Preservation Office (SHPO) has requested a cultural inventory survey be completed on Elk Island FAS. FWP has initiated the survey work, which will be submitted to SHPO once received. No groundbreaking activities will be done without SHPO clearance.

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8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor*	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

8a. Physical disturbance of the soil during construction of the parking lot, gravel boat ramp, vehicle turn-around, and latrine and improvement of the access road may introduce noxious weeds to the site. FWP actively manages noxious weeds on the WMA/FAS in conjunction with Richland County Weed District and will continue to use an integrated approach to control any new occurrence of noxious weeds, as outlined in the FWP Statewide Integrated Noxious Weed Management Plan. The integrated plan uses a combination of biological, mechanical and herbicidal treatments to control noxious weeds. The use of herbicides would be in compliance with application guidelines and applied by people trained in safe handling techniques.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X	Positive		9c.
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X		Yes Positive	9e.

9c. The proposed development project is likely to improve tourism in the area, which will benefit local retail and service businesses (Appendix C - Tourism Report)

9e. Increased use of the area due to a more convenient and accessible boat ramp and more convenient parking is likely to slightly increase traffic to the FAS. The proposed improvements to the parking area should help alleviate vehicle congestion at the FAS.

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10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		X				10e.
f. **Define projected maintenance costs.		X				10 f.

The proposed project will have no impact on public service, taxes or utilities.

10b. There will be no change in the tax base since FWP pays property taxes to Richland County in an amount equal to that of a private landowner.

10e. Camping facilities will not be provided so there will be no revenue from camping fees.

10f. Projected annual operating and personal expense for fiscal year 2011 is approximately $2150. FWP projects that noxious weed control will cost an additional $600 annually.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X		Positive	11c.
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		NA				

The proposed project will have no impact on scenic vistas and will not alter the character of neighboring communities.

11c. Developing launching facilities, a parking lot, vehicle turn-around area, and latrine will improve the quality of recreation by providing recreationists a more user-friendly site, by making loading and unloading more accessible, by making traffic flow efficient, and by providing needed recreation facilities on a popular river.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		NA				

12a. A cultural survey has been conducted at the proposed development site. State Historic Preservation Office (SHPO) has given their clearance for the work to proceed. If cultural materials are discovered during the project, work would be stopped in order to allow time to notify appropriate agencies and conduct a more in depth investigation to determine how to proceed.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE **Will the proposed action, considered as a whole:**	**IMPACT ***					
	Unknown *	**None**	**Minor ***	**Potentially Significant**	**Can Impact Be Mitigated ***	**Comment Index**
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		NA				
g. ****For P-R/D-J, list any federal or state permits required.		NA				

Because of the limited scope of the proposed development, it is expected there will be a limited number of impacts to the physical, biological and human environments. When considered over the long term, the proposed action poses significant positive effects to the local economy and provides needed, regular public access to this popular stretch of the lower Yellowstone River.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PART III. NARRATIVE EVALUATION AND COMMENT

Because of the limited scope of the proposed improvements, it is expected there will be a limited number of impacts to the physical, biological and human environments. When considered over the long term, the proposed action poses significant positive effects to the local economy and provides needed, regular public access to this popular stretch of the lower Yellowstone River.

The minor impacts that were identified in the previous section are small in scale and will not influence the overall environment of the immediate area. The natural environment will continue to provide habitat to transient and permanent wildlife species and will continue to be open to the public for access to the river for fishing, hunting, floating, boating, and wildlife viewing.

The proposed alternative will have little impact on the local wildlife species that frequent the property, will not increase negative conditions that stress wildlife populations, and is not considered critical habitat for any species.

The lower Yellowstone River supports the endangered pallid sturgeon. Even though pallid sturgeon are found in the vicinity of Elk Island FAS, this species is not expected to be affected by the construction of the boat ramp, parking lot, vehicle turn-around, and latrine because they occupy the thalweg of the river, which will not be affected by the project.

Many of the minor impacts are expected to last for only the relatively short duration of the construction period with no lasting negative effects on the local environment. For those actions requiring minor mitigation, such as disturbances to soils that could increase the possibility of noxious weeds spreading at the site, efforts will be taken to diminish those impacts.

PART IV. PUBLIC PARTICIPATION

1. Public Involvement:

The public will be notified in the following manners to comment on the proposed development of Elk Island FAS:

- Two public notices in each of these papers: the *Glendive Ranger-Review,* the *Sidney Herald,* and the *Helena Independent Record*
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov.*
- Direct notice will be given to adjacent landowners.
- Draft EA's will be available at the FWP Region 7 Headquarters in Miles City and the FWP State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 7 issue.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

2. Duration of comment period:

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., September 22, 2010 and can be e-mailed to jlittle@mt.gov or mailed to the address below:

Elk Island Fishing Access Site Proposed Development Project
Montana Fish, Wildlife & Parks
P.O. Box 1630
Miles City, MT 59301

If requested within the comment period, FWP will schedule and conduct a public meeting on this proposed project.

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? NO
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife and Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Persons responsible for preparing the EA:

John Little
Regional Parks Manager, Region 7
P.O. Box 1630
Miles City, MT 59301
jlittle@mt.gov
(406) 234-0900

Andrea Darling
EA Contractor
39 Big Dipper Drive
Clancy, MT 59634
apdarling@gmail.com

3. List of agencies consulted during preparation of the EA:

Montana Fish, Wildlife & Parks
- Parks Division
- Wildlife Bureau
- Fisheries Bureau
- Design & Construction Bureau
- Legal Unit

Montana State Historic Preservation Office (SHPO)
Montana Department of Commerce – Tourism
Montana Natural Heritage Program – Natural Resources Information System (NRIS)
Richland County Weed District

APPENDICES

A. MCA 23-1-110 Qualification Checklist
B. Native Species Report Montana Natural Heritage Program (MNHP)
C. Tourism Report – Department of Commerce
D. Best Management Practices Final FAS BMP's Department of Fish, Wildlife & Parks
E. State Historic Preservation Office (SHPO) Consultation Letter

APPENDIX A
23-1-110 MCA
PROJECT QUALIFICATION CHECKLIST

Date: January 29, 2010 **Person Reviewing:** Andrea Darling

Project Location: Elk Island FAS is along the Yellowstone River about 1 mile north of Savage, Montana in Richland County, Sections 22 and 23 T20N R58E.

Description of Proposed Work: FWP proposes to construct a parking area to accommodate approximately eight vehicles, vehicle turn-around area, single-wide gravel boat ramp, and latrine; install signs and boundary fencing; and improve the existing access road at the Elk Island FAS.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ✓ all that apply and comment as necessary.)

[ ] A. New roadway or trail built over undisturbed land?
Comments: *The existing access road will be improved.*

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?

[X] C. Any excavation of 20 c.y. or greater?
Comments: *This project will require more than 20 c.y. of material to be excavated during the construction of the single-wide gravel boat ramp, parking lot and turn-around area.*

[X] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: *A parking lot accommodating eight vehicles and a vehicle turn-around area will be built.*

[ ] E. Any new shoreline alteration that exceeds a double-wide boat ramp or handicapped fishing station?

[X] F. Any new construction into lakes, reservoirs, or streams?
Comments: *A single-wide gravel boat ramp will be built on the river bank.*

[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: *The State Historic Preservation Office (SHPO) has requested that a cultural inventory survey be conducted on the site. No ground-breaking activities will be done without SHPO clearance.*

[ ] H. Any new above ground utility lines?

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: *Camping facilities will not be provided at the FAS.*

[ ] J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?

If any of the above is checked, 23-1-110 MCA rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX B

SENSITIVE PLANTS AND ANIMALS IN THE ELK ISLAND FAS AREA

Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (http://nris.mt.gov) indicates the proposed project area is within the habitat of the federally endangered pallid sturgeon and least tern. No other federally listed endangered, threatened or proposed threatened or endangered plant or animal species are found in the proposed project area. Long-billed curlew, Sprague's pipit, loggerhead shrike, and grasshopper sparrow were found in an upland area within four miles of the project area. The project area is also within the habitat for the following sensitive species: paddlefish, sturgeon chub, sicklefin chub, blue sucker, sauger, meadow jumping mouse, and spiny softshell. Please see the next page for more information on these species.

Montana Species of Concern. The term **"Species of Concern"** includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are "at-risk". Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known "occurrences" or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species' life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

Status Ranks	
Code	**Definition**
G1 **S1**	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
G2 **S2**	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
G3 **S3**	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
G4 **S4**	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
G5 **S5**	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

MFWP Conservation Need. Under Montana's Comprehensive Fish and Wildlife Conservation Strategy of 2005, individual animal species are assigned levels of conservation need as follows:

Tier I. Greatest conservation need. Montana FWP has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities and focus areas.

Tier II. Moderate conservation need. Montana FWP could use its resources to implement conservation actions that provide direct benefit to these species communities and focus areas.

Tier III. Lower conservation need. Although important to Montana's wildlife diversity, these species, communities and focus areas are either abundant or widespread or are believed to have adequate conservation already in place.

Tier IV. Species that are non-native, incidental or on the periphery of their range and are either expanding or very common in adjacent states.

SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF ELK ISLAND FAS, YELLOWSTONE RIVER

1. **Numenius americanus (Long-billed Curlew)**

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of long-billed curlew in the proximate area of the proposed project. Last observation date was 1997.

2. **Sterna antillarum (Least Tern)**

Natural Heritage Ranks	Federal Agency Status:
State: **S1B**	U.S. Fish and Wildlife Service: **Listed Endangered**
Global: **G4**	U.S. Forest Service: **Endangered**
	U.S. Bureau of Land Management: **Special Status**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of least tern in the proximate area of the proposed project. Last observation date was not recorded.

3. **Anthus spragueii (Sprague's Pipit)**

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G4**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **II**

Element Occurrence data was reported of Sprague's pipit in the proximate area of the proposed project. Last observation date was 1997.

4. Lanius ludovicianus (Loggerhead Shrike)

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G4**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **II**

Element Occurrence data was reported of loggerhead shrike in the proximate area of the proposed project. Last observation date was not recorded.

5. Ammodramus savannarum (Grasshopper Sparrow)

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service:
	U.S. Bureau of Land Management:

FWP CFWCS Tier: **II**

Element Occurrence data was reported of grasshopper sparrow in the proximate area of the proposed project. Last observation date was 1997.

6. Scaphirhynchus albus (Pallid Sturgeon)

Natural Heritage Ranks	Federal Agency Status:
State: **S1**	U.S. Fish and Wildlife Service: **Listed Endangered**
Global: **G2**	U.S. Forest Service: **Endangered**
	U.S. Bureau of Land Management: **Special Status**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of pallid sturgeon in the proximate area of the proposed project. Last observation date was not recorded.

7. Polyodon spathula (Paddlefish)

Natural Heritage Ranks	Federal Agency Status:
State: **S1S2**	U.S. Fish and Wildlife Service:
Global: **G4**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of paddlefish in the proximate area of the proposed project. Last observation date was not recorded.

8. Macrhybopsis gelida (Sturgeon chub)

Natural Heritage Ranks	Federal Agency Status:
State: **S2S3**	U.S. Fish and Wildlife Service:
Global: **G3**	U.S. Forest Service: **Sensitive**
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of sturgeon chub in the proximate area of the proposed project. Last observation date was not recorded.

9. Macrhybopsis meeki (Sicklefin Chub)

Natural Heritage Ranks	Federal Agency Status:
State: **S1**	U.S. Fish and Wildlife Service:
Global: **G3**	U.S. Forest Service:
	U.S. Bureau of Land Management:

FWP CFWCS Tier: **I**

Element Occurrence data was reported of sicklefin chub in the proximate area of the proposed project. Last observation date was not recorded.

10. Cycleptus elongatus (Blue Sucker)

Natural Heritage Ranks	Federal Agency Status:
State: **S2S3**	U.S. Fish and Wildlife Service:
Global: **G3G4**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of blue sucker in the proximate area of the proposed project. Last observation date was not recorded.

11. Sander candensis (Sauger)

Natural Heritage Ranks	Federal Agency Status:
State: **S2**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of sauger in the proximate area of the proposed project. Last observation date was not recorded.

12. Zapus hudsonius (Meadow Jumping Mouse)

Natural Heritage Ranks	Federal Agency Status:
State: **S2**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of meadow jumping mouse in the proximate area of the proposed project. Last observation date was 1988.

13. Apalone spinifera (Spiny Softshell)

Natural Heritage Ranks	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of spiny softshell in the proximate area of the proposed project. Last observation date was 2006.

APPENDIX C

TOURISM REPORT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Services Manager
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Elk Island Fishing Access Site Proposed Development Project

Project Description:
FWP recently acquired 165 acres of Elk Island along the Yellowstone River one mile north of Savage, Montana for the purpose of enlarging Elk Island Wildlife Management Area (WMA) and developing a Fishing Access Site (FAS). FWP proposes to develop approximately ten acres of the 165 acres to be used for a FAS. FWP proposes to construct a parking area to accommodate approximately eight vehicles, a single-wide gravel boat ramp, a turn-around area for vehicles, and a latrine; improve the access road, and install signs and boundary fencing.

1. Would this site development project have an impact on the tourism economy?
   NO **YES** If YES, briefly describe:

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
   NO **YES** If YES, briefly describe:

Yes, as described, the project has the potential to improve the quality and quantity of tourism and recreational opportunities.

Signature Carol Crockett, Visitor Services Manager Date 1/11/10

APPENDIX D

MONTANA FISH, WILDLIFE AND PARKS
BEST MANAGEMENT PRACTICES FOR FISHING ACCESS SITES
10-02-02
Updated May 1, 2008

I. ROADS

A. Road Planning and location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.

    a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.

2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.

3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.

4. Minimize the number of stream crossings.

    a. Choose stable stream crossing sites. “Stable” refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. Road Design

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. “Standard” refers to road width.

2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. Drainage from Road Surface

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.

    a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable,

drainage will not flow directly into stream channels, and transportation safety can be met.

b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.

c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.

3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.

4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. Construction/Reconstruction

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.

2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these “slash filter windrows” so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.

3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.

4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.

5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste

areas in soil stabilization planning for the road.

6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. Road Maintenance

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.

2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.

3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.

4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.

2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils

3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.

4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.

2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).

3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.

4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.

2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.

4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.

2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.

3. Use culverts with a minimum diameter of 15 inches for permanent stream

crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.

4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).

5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.

APPENDIX E
MONTANA STATE HISTORIC PRESERVATION OFFICE CONSULTATION LETTER

2010061707

Montana Fish, Wildlife & Parks

RECEIVED
JUN 17 2010
BY: SHPO

1420 East Sixth Avenue
P.O. Box 200701
Helena, Montana 59620-0701

CONCURS
NO PROPERTIES ON OR ELIGIBLE
FOR NRHP AND NOT LIKELY TO
EXIST WITHIN PROJECT IMPACT AREA
MONTANA SHPO
DATE 6 Jul 2010 SIGNED

, JOSEF
, FWP/PARKS
. Elk Island
FAS CRI,
Yellowstone Rv
RLB

Dr. Mark Baumler, SHPO
State Historical Preservation Office
P.O. Box 201202
1410 8th Avenue
Helena, Montana 59620-1202

RE: Elk Island Fishing Access Site, Yellowstone River, Richland County, Montana

June 16, 2010

Dear Dr. Baumler:

The Department of Fish, Wildlife and Parks (FWP) is proposing development of the Elk Island Fishing Access Site on the Yellowstone River in Richland County, Montana. The proposed undertaking is located on lands administered by FWP at approximately T20N R58E Section 22 as indicated in the enclosed report entitled *Elk Island Fishing Access: A Class III Cultural Resource Inventory of a Proposed Parking Area and Boat Ramp along the Yellowstone River in Richland County, Montana.* Pursuant to regulations found at 36 CFR 800 we request SHPO review of the enclosed inventory and the eligibility determinations stated below.

FWP believes that the APE, as defined in the enclosed report, adequately considers all reasonable potential effects to Historic Properties from this proposed undertaking. We also believe that the report prepared by Blain Fandrich of Ethnoscience, Inc. for FWP is adequate and we agree with his methods. We agree with the consultant's recommendations of eligibility and that, due to the low likelihood of adverse impacts to cultural resources, the project should be allowed to proceed as proposed.

We request your concurrence on the adequacy of the enclosed report and the low likelihood of adverse impacts to cultural resources. Please feel free to contact Bardell Mangum at (406) 841-4012 or by e-mail at bmangum@mt.gov if you have any questions or concerns regarding the proposed project.

Sincerely,

Bardell Mangum, RLA
Landscape Architect
Design & Construction Unit

Encl.: report; CRABS form
cc: File 300.2, Sara Scott